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December 26, 2019

Application GRANTED. The initial pretrial conference, scheduled for January 23, 2020, is CANCELED.

VIA ECF

Hon. Lorna G. Schofield
United States District Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, New York 10007

If Defendants continue to fail to appear, Plaintiff shall move for default judgment by February 14, 2020.

Plaintiff shall file proof of service on Defendants of this order by January 22, 2020.

Dated: January 17, 2020
New York, New York

Re: ***Shenzhen Smoore Technology Ltd v. A253481482, et al.,***
Case No. 19-cv-9896 (LGS)

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Status Letter and Request to 1) Indefinitely Adjourn the Initial Pretrial Conference and 2) Move for Default Judgment

Dear Judge Schofield,

We represent Plaintiff Shenzhen Smoore Technology Ltd. (“Plaintiff”) in the above-referenced action.¹ On December 6, 2019, the Court scheduled the Initial Pretrial Conference for January 23, 2020 at 10:40 a.m. For the reasons set forth below – namely that all remaining Defendants have defaulted – Plaintiff respectfully requests that the Court 1) indefinitely adjourn the Initial Pretrial Conference; and 2) allow Plaintiff to move for default judgment against the remaining Defendants by no later than March 16, 2020.

On October 25, 2019, Plaintiff filed this action and thereafter, on October 30, 2019, the Court granted Plaintiff’s *ex parte* Application and entered the Temporary Restraining Order (“TRO”). On November 11, 2019, Plaintiff served the Summons, Complaint, TRO and all documents filed in support of Plaintiff’s Application on Defendants pursuant to the methods of alternative service authorized by the TRO. As such, all Defendants should have filed an Answer or Rule 12 Motion with the Court and served Plaintiff’s counsel with their respective Answers or Rule 12 Motions on or before December 2, 2019. To date, Defendants have neither filed with the Court nor served upon Plaintiff an Answer or Rule 12 Motion, and ninety-nine (99) out of one hundred fifteen (115) Defendants remain in this action and have defaulted.²

¹ Where a defined term is referenced herein but not defined, it should be understood as it is defined in the Glossary in the Complaint or Application.

² The following sixteen (16) Defendants were voluntarily dismissed from the action: Chi Na Tech (HZ) Co., Ltd., Dongguan Cacuq Electronic Technology Co., Ltd., Green Cigs, iVape Store, Shenzhen Aiwoosen Technology Co., Limited, Shenzhen Brosvapor Technology Co., Ltd., Shenzhen Changing Technology Co., Ltd., Shenzhen LTQ VAPOR Electronics Co., Ltd., Shenzhen Mingxin Ason Technology Co., Ltd., Shenzhen Ovns Technology Co., Ltd., Shenzhen Thunderstone Technology Co., Ltd., Shenzhen Vape Lab Co., Ltd., Shenzhen Vapesourcing Electronics Co., Ltd., Shenzhen YPP Technology Co., Ltd., trustseller2018 and Zhenjiang Mok Electronic Cigarette Technology Co., Ltd.

Hon. Lorna G. Schofield

January 16, 2020

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Therefore, Plaintiff respectfully requests that the Court 1) indefinitely adjourn the Initial Pretrial Conference; and 2) allow Plaintiff to move for default judgment against the remaining Defendants by no later than March 16, 2020.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

EPSTEIN DRANGEL LLP

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